

IN THE MATTER OF THE
THE APPLICATION OF
JOHN D. O'CONNOR, ET AL
FOR A SPECIAL HEARING, SPECIAL
EXCEPTION AND VARIANCE ON
PROPERTY LOCATION ON THE WEST
SIDE OF YORK ROAD, 185' N OF
OF C/L OF OLD PADONIA ROAD
(9712 YORK ROAD)
8TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT

OPINION

This case comes before this Board on appeal from Restriction No. 5 imposed by the Deputy Zoning Commissioner in Case No. 90-213-SPHXA. This is the only issue before the Board in this case.

Petitioner testified that the building is a self-contained portable building as shown on Petitioner's Exhibit No. 2-C. This building is their used-car sales office. It is their desire to relocate this building to the south end of the service garage, 6 feet from the property line and 6 feet from the building. By relocating the sales office to this location, the office would become convenient to the restrooms and much more visible for the used car sales. The Board will note that with the office in this position it will be behind existing screening as shown on Petitioner's Exhibit No. 2-D. There was testimony that with the office in this location the operation in general would be safer, the office would be visible from either entrance, and would generally contribute to the proper operation of the business. The Board will note in this opinion that the only opposition to the proposed location of the sales office was by Baltimore County as there were no individual protestants present.

The Board is of the opinion that the requested relocation of the sales office from the north end of the service garage to the

Case No. 90-213-SPHXA John D. O'Connor, et al

2
south end is in reality more of a cosmetic change than anything else. The relocation of the sales office will certainly be more convenient to the restrooms, will be screened from Old Padonia Road, and will be more readily visible from the York Road entrances, thus reducing possible congestion on the site. The Board is of the opinion that the relocation should be granted and will produce no detrimental effect whatsoever. In order for this to take place, the variance to permit a 6-foot setback between the property line and a 6-foot setback between the main building will be granted.

ORDER

IT IS THEREFORE this 26th day of June, 1991 by the County Board of Appeals of Baltimore County ORDERED that the proposed relocation of the modular sales office from the north end of the site to the south end of the site as shown on Petitioner's Exhibit No. 1 be and the same is hereby GRANTED; and

IT IS FURTHER ORDERED that the 6-foot variance from the property line and the 6-foot variance from the building line be and the same are GRANTED.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
William T. Hackett, Chairman
Lynn B. Moreland
Gary G. Foreman



County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 867-3180

June 25, 1991

Mr. James D. O'Connor
100 West Road, Suite 211
Towson, MD 21204

RE: Case No. 90-213-SPHXA
James D. O'Connor, et al

Dear Mr. O'Connor:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Sincerely,

Kathleen C. Weidenhammer
Administrative Assistant

encl

cc: Mr. & Mrs. Raymond E. Brehm
People's Counsel for Baltimore County
P. David Fields
Pat Keller
J. Robert Haines
Deputy Zoning Commissioner
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director
of Zoning Administration
Mr. Bernard Linsenmeyer

IN RE: PETITIONS FOR SPECIAL
HEARING, SPECIAL EXCEPTION
& VARIANCES
W/S of York Road, 185' N of
the c/l of Old Padonia Road
(9712 York Road)
8th Election District
3rd Councilmanic District
James D. O'Connor, et al.
Petitioners

NOTICE OF APPEAL

The Petitioners, James D. O'Connor, et al., appeal from the Findings of Fact and Conclusions of Law of the Zoning Commissioner for Baltimore County in the above-captioned case dated July 27, 1990, requiring that the proposed used car office sales building be moved to the north side of the building in the location of the proposed used car display parking spaces, identified as spaces 15 and 16 on Petitioner's Exhibit 1 and that said building be attached to the existing building.

James D. O'Connor
100 West Road, Suite 211
Towson, Maryland 21204
Phone: 321-0595
Petitioner

MAIL CERTIFICATION

I HEREBY CERTIFY that on this 17th day of August, 1990, a copy of the foregoing Notice of Appeal was mailed, postage prepaid, to Peoples Counsel, 401 Bosley Avenue, Towson, Maryland 21204.

James D. O'Connor

JAMES D. O'CONNOR
ATTORNEY AT LAW
100 WEST ROAD
SUITE 211
TOWSON, MARYLAND 21204
(301) 321-0595
FAX (301) 321-0607

MICROFILMED

IN RE: PETITIONS FOR SPECIAL HEARING,
SPECIAL EXCEPTION & VARIANCES -
W/S of York Road, 185' N of the
c/l of Old Padonia Road
(9712 York Road)
8th Election District
3rd Councilmanic District
John D. O'Connor, et al.
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve an amendment to the previously approved site plan in Case No. 88-485-X; a special exception to approve the use of the subject property as a used motor vehicle sales lot pursuant to Section 236.4 of the Baltimore County Zoning Regulations (B.C.Z.R.); and variances to permit a side yard setback of 6 feet in lieu of the required 30 feet, and a minimum distance between buildings of 6 feet in lieu of the required 60 feet, and the storage and display of used vehicles 1 foot from the front property line in lieu of the required 15 feet and 1 foot from the street right-of-way in lieu of the required 10 feet, for proposed used car sales, as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by James D. O'Connor, appeared and testified on behalf of himself and the co-owners of the subject property. Also appearing on behalf of the Petition were Raymond E. and Connie Brehm, Lessees of the subject property, and Bernard Linsenmeyer, Registered Property Line Surveyor. There were no Protestants.

Testimony indicated that the subject property, known as 9712 York Road, consists of 0.568 acres zoned B.R.-C.C.C. and is improved with two service garage buildings and storage sheds. Said property was granted a special exception for use as gasoline service stations in 1955 in Case No.

3504-5. Thereafter, on June 14, 1988 in Case No. 88-458-X, Petitioners were granted a special exception to use the property for service garage uses only and to discontinue the sale of gasoline. Subsequently, the property was rezoned from B.L.-C.C.C. to B.R.-C.C.C. in the 1988 comprehensive map process whereby its service garage use became a permitted use as a matter of right. Petitioners are now requesting permission to sell used cars from the premises in addition to the service garage use.

Testimony indicated that Raymond Brehm, who has been in the service garage business for a number of years, would like to expand his present operation on the subject property to include used car sales by adding a sales office, approximately 12' x 24' as depicted in Petitioner's Exhibit 1, and display used cars on the site. Petitioners testified that in their opinion, the requirements of Section 502.1 of the B.C.Z.R. will be met.

The Office of Planning had no objections to the special exception or special hearing, but had concerns with the proposed layout. In response to their comments dated November 30, 1989, Mr. Brehm testified that the Office of Planning's proposed location for the sales office was unacceptable due to the need of the sales office to be visible from York Road and Old Padonia Road. Planning was opposed to the location of the sales office building and request for it to be a separate building. The Office of Planning also suggested that a minimum landscape area of 10 feet be required between the front property line and the street right-of-way. Planning further agreed with the State Highway Administration comments of August 31, 1989 that the entrance closest to the southernmost portion of York Road should be closed. Petitioners indicated their willingness to comply with closing the entrance.

MICROFILMED

Subsequent to the hearing, Petitioners filed a revised site plan, marked Exhibit A, which shows the front setbacks for the neighboring properties as required. The revised site plan indicates the display of used vehicles will be 7 feet from the front property line instead of the originally requested 1 foot to permit planting. However, the required setback for the display of vehicles is 20.5 feet based on the information provided on the plat and not 15 feet, pursuant to Section 238.4 of the B.C.Z.R. Since the actual required variance is not greater than that requested in the Petition, the variance will be considered.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel.

It is clear that the B.C.Z.R. permits the use proposed in a B.R.-C.C.C. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any ad-

verse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted, as hereinafter modified, with certain restrictions as more fully described below.

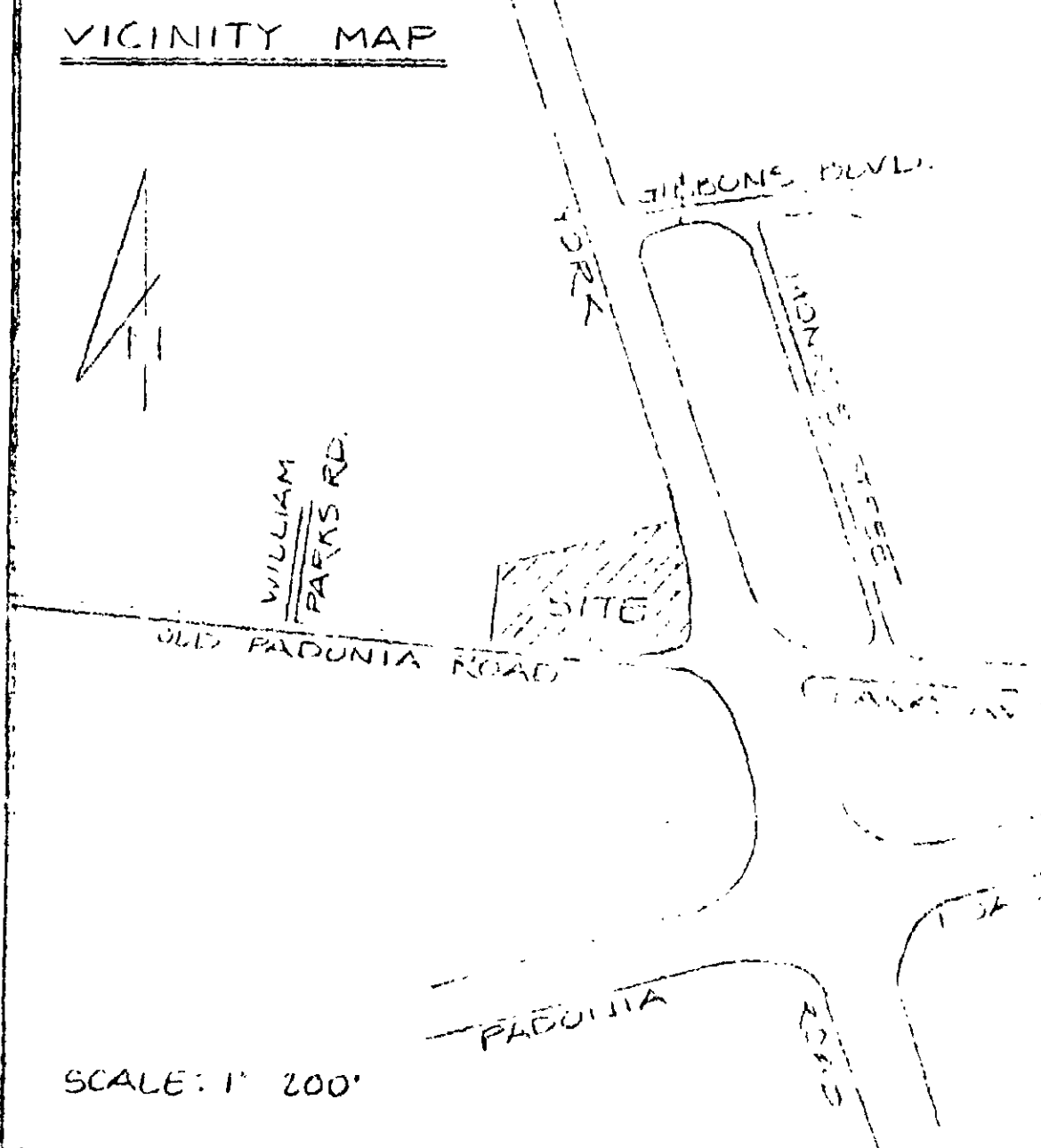
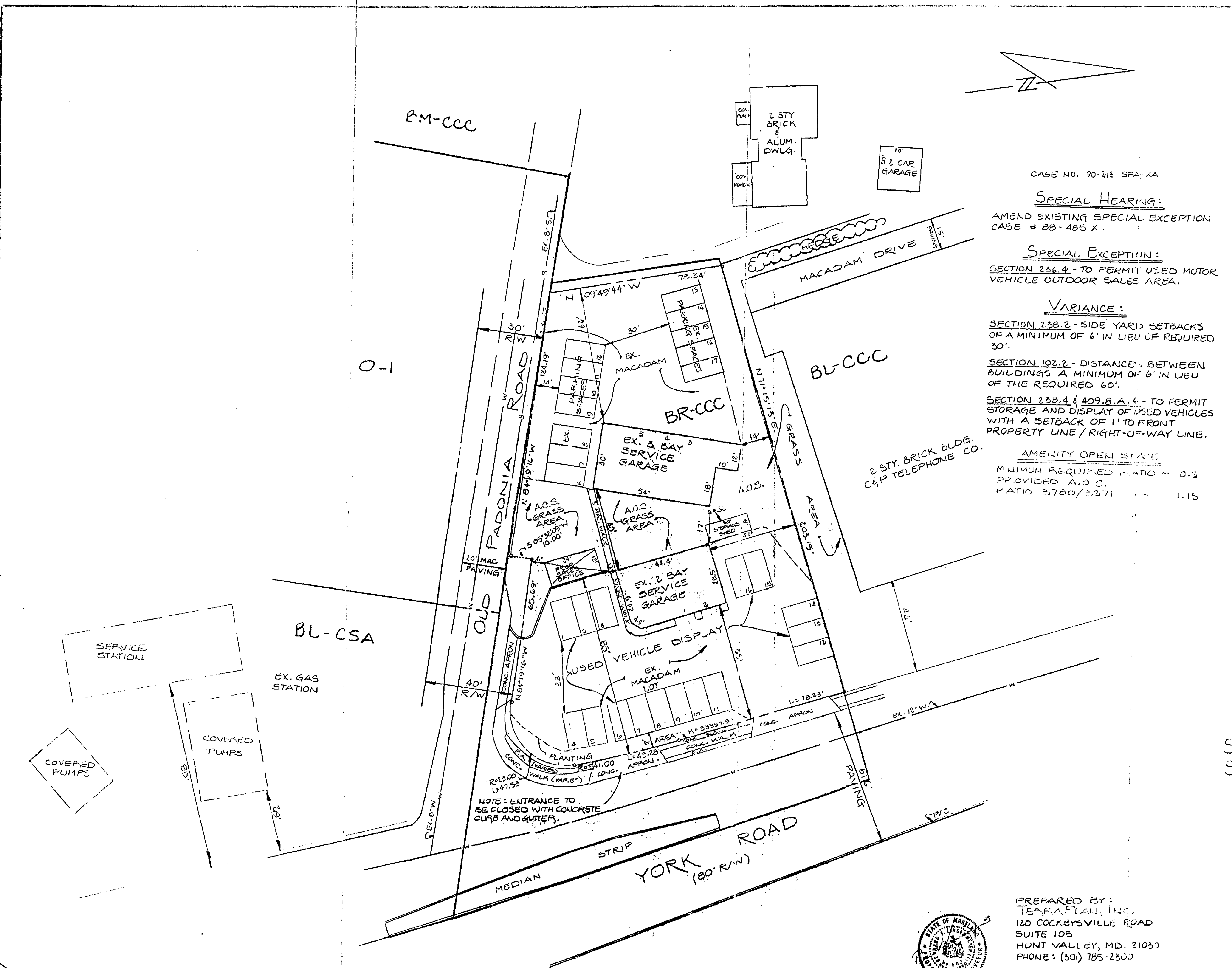
An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 308 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the requested variances are granted, as hereinafter modified, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial

MICROFILMED



CASE NO. 90-213 SPA-AA

SPECIAL HEARING:

AMEND EXISTING SPECIAL EXCEPTION
CASE # 88-485 X

SPECIAL EXCEPTION:

SECTION 236.4 - TO PERMIT USED MOTOR
VEHICLE OUTDOOR SALES AREA.

VARIANCE:

SECTION 238.2 - SIDE YARD SETBACKS
OF A MINIMUM OF 6' IN LIEU OF REQUIRED
30'.

SECTION 102.2 - DISTANCES BETWEEN
BUILDINGS A MINIMUM OF 6' IN LIEU
OF THE REQUIRED 60'.

SECTION 238.4 & 409.8.A.4 - TO PERMIT
STORAGE AND DISPLAY OF USED VEHICLES
WITH A SETBACK OF 1' TO FRONT
PROPERTY LINE / RIGHT-OF-WAY LINE.

AMENITY OPEN SPACE

MINIMUM REQUIRED RATIO - 0.2
PROVIDED A.O.S.
RATIO 3780/3271 = 1.15

SITE DATA

ACREAGE - 0.566 AC. ±
ZONING - BR-CCC
EX. BLDGS. - 2983 S.F.
PROP. BLDGS. - USED CAR SALES OFFICE
288 S.F.
EXISTING USE - SERVICE GARAGE
PROPOSED ADDITIONAL USE - USED
VEHICLE SALES
NO ADDITIONAL SIGNAGE PROPOSED

DRAWN BY
JAMES O'CONNOR
DEED REF.: EHK, JR. 5001 / 176

PARKING DATA

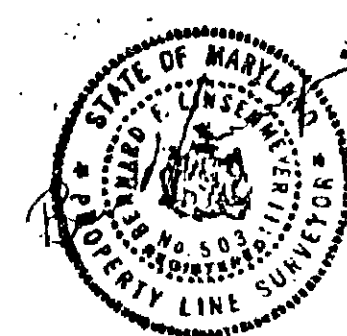
PARKING REQUIRED -
SERVICE GARAGES (2.5/1000 S.F.) - 9
SALES OFFICE (5/1000 S.F.) - 1
TOTAL - 10
EXISTING SPACES - 17
PROPOSED USED VEHICLE
DISPLAY SPACES - 6

ALL SPACES - 8'1/2' X 12'

SPECIAL HEARING, VARIANCE,
SPECIAL EXCEPTION PLAT

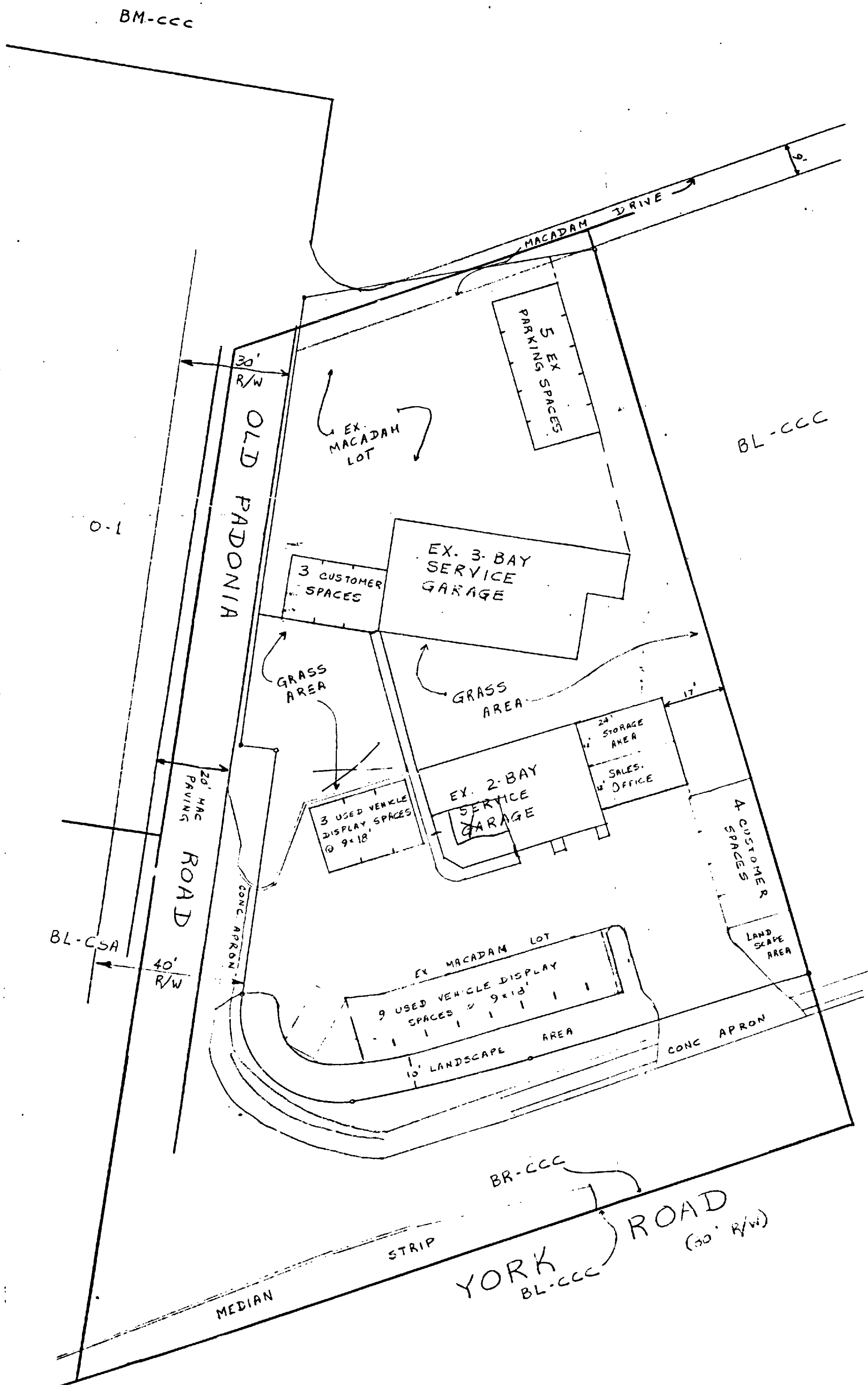
PADONIA AUTO CENTER
9112 YORK ROAD
8TH ELECTION DISTRICT
BALTIMORE COUNTY, MD.

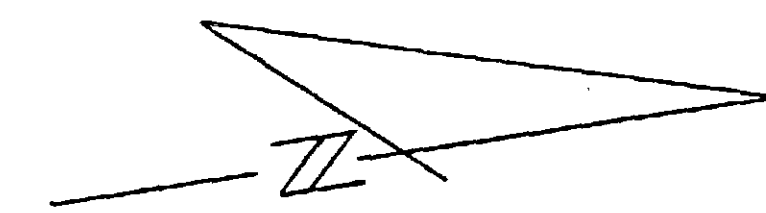
PREPARED BY:
TERRAFLEX, INC.
120 COCKEYSVILLE ROAD
SUITE 105
HUNT VALLEY, MD. 21030
PHONE: (301) 785-2300



SCALE: 1" = 20'
DATE: AUGUST 1, 1989
REV: NOVEMBER 9, 1989 (PER C.A. CONF. #15)
JANUARY 14, 1990
JUNE 11, 1990

40-213
SACWA Pacific Council 2 -





AMEND EXISTING SPECIAL EXCEPTION
CASE # 88-485 X.

SECTION 236.4 - TO PERMIT USED MOTOR VEHICLE OUTDOOR SALES AREA.

SECTION 238.2 - SIDE YARD SETBACKS
OF A MINIMUM OF 6' IN LIEU OF REQUIRED
30'.

SECTION 102.2 - DISTANCES BETWEEN BUILDINGS A MINIMUM OF 6' IN LIEU OF THE REQUIRED 60'.

SECTION 238.4 & 409.8.A.4 - TO PERMIT STORAGE AND DISPLAY OF USED VEHICLES WITH A SETBACK OF 1' TO FRONT PROPERTY LINE / RIGHT-OF-WAY LINE.

2 STY. BRICK BLDG.
C&P TELEPHONE CO.



ACREAGE - 0.568 AC.±
ZONING - BR-CCC
EX. BLDGS. - 2983 S.F.
PROP. BLDGS - USED CAR SALES OFFICE
288 S.F.
EXISTING USE - SERVICE GARAGE
PROPOSED ADDITIONAL USE - USED
VEHICLE SALES
NO ADDITIONAL SIGNAGE PROPOSED.

OWNER
JAMES O'CONNOR
DEED REF.: E.H.K., JR. 5607/773

PARKING DATA

PARKING REQUIRED-	
SERVICE GARAGES (33/1000 S.F.) -	9
SALES OFFICE (5/1000 S.F.) -	1
TOTAL -	10
EXISTING SPACES -	13
PROPOSED SPACES -	5
TOTAL -	18
USED VEHICLE DISPLAY SPACES-	12
ALL SPACES - 8'1/2' x 18'	

SPECIAL HEARING, VARIANCE &
SPECIAL EXCEPTION PLAT
PADONIA AUTO CENTER

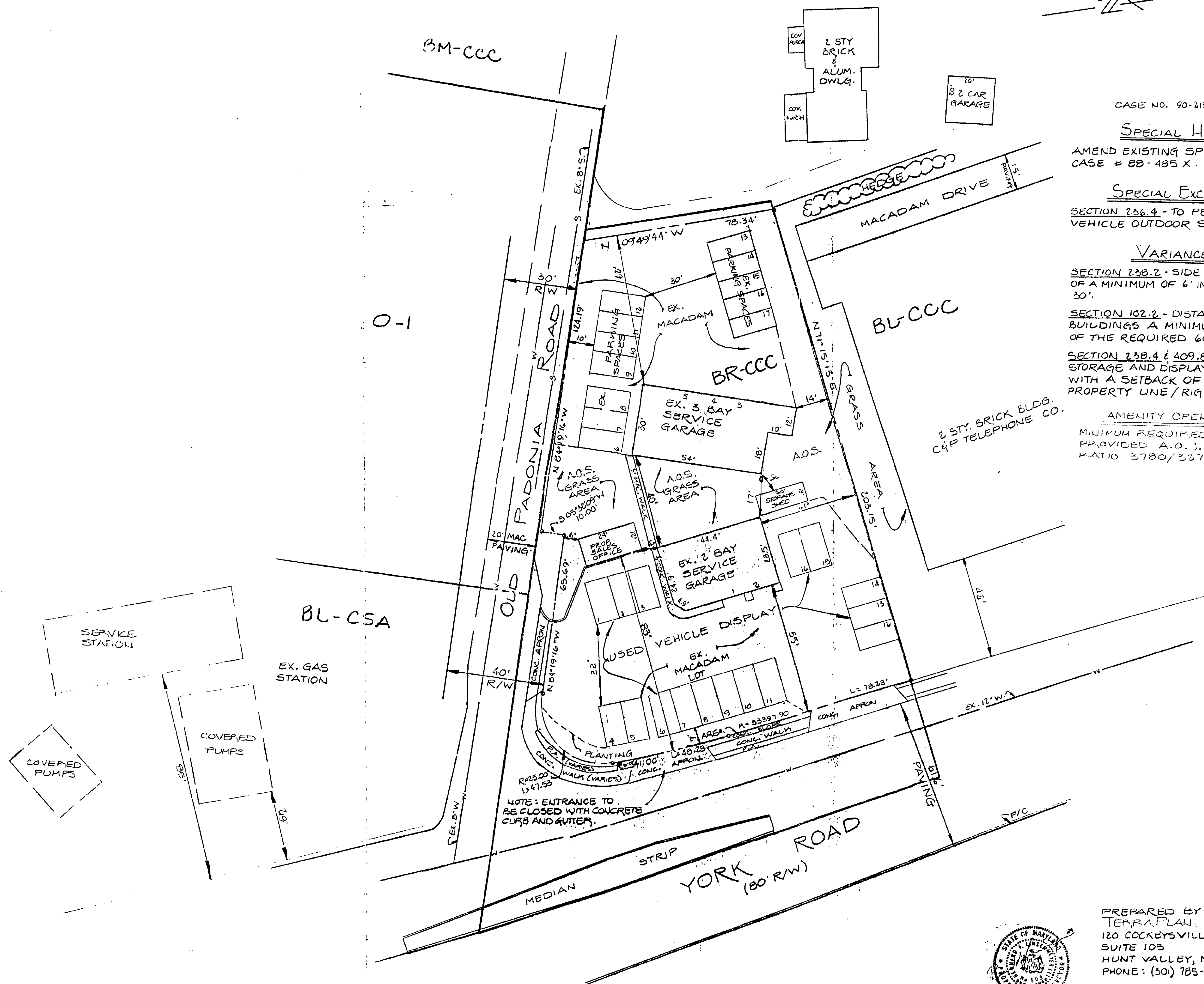
9712 YORK ROAD
8TH ELECTION DISTRICT
BALTIMORE COUNTY, MD.

SCALE: 1" = 20'
DATE: AUGUST 1, 1989.

DATE: AUGUST 1, 1989
PETITIONER'S
EXHIBIT 2

PREPARED BY:
AZIMUTH CONSULTANTS
120 COCKEYSVILLE ROAD
SUITE 105
HUNT VALLEY, MD. 21031
PHONE: (301) 785-2300





CASE NO. 90-213 SPA-XA

SPECIAL HEARING:
AMEND EXISTING SPECIAL EXCEPTION
CASE # 88-485 X.

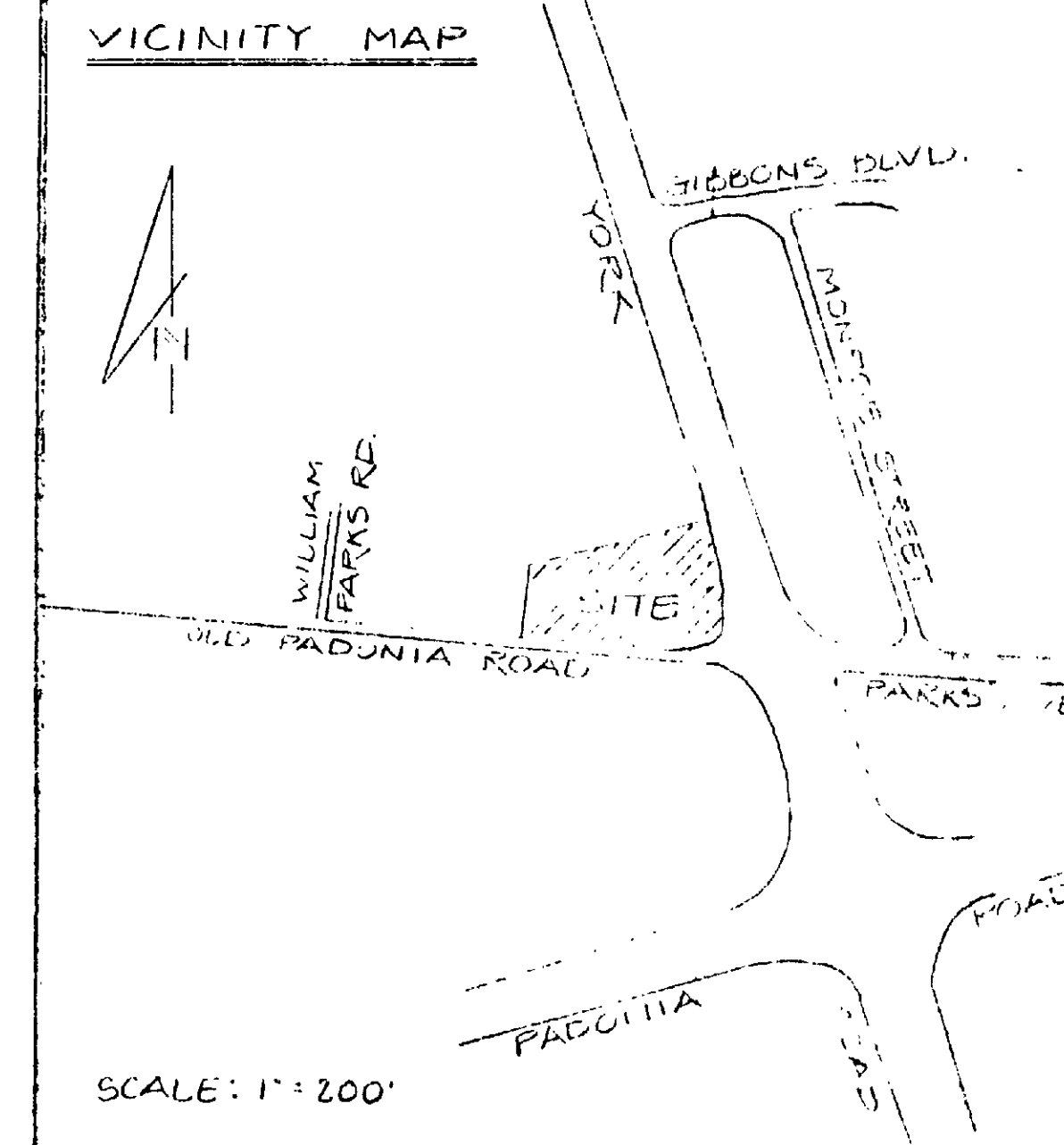
SPECIAL EXCEPTION:
SECTION 236.4 - TO PERMIT USED MOTOR
VEHICLE OUTDOOR SALES AREA.

VARIANCE:
SECTION 238.2 - SIDE YARD SETBACKS
OF A MINIMUM OF 6' IN LIEU OF REQUIRED
30'.

SECTION 102.2 - DISTANCES BETWEEN
BUILDINGS A MINIMUM OF 6' IN LIEU
OF THE REQUIRED 60'.

SECTION 238.4 & 409.8.A.4 - TO PERMIT
STORAGE AND DISPLAY OF USED VEHICLES
WITH A SETBACK OF 1' TO FRONT
PROPERTY LINE / RIGHT-OF-WAY LINE.

AMENITY OPEN SPACE
MINIMUM REQUIRED RATIO - 0.3
PROVIDED A.O.S.
RATIO 3780/3571 1.15



SITE DATA

ACREAGE - 0.568 AC.
ZONING - BR-CCC
EX. BLDGS. - 2983 S.F.
PROP. BLDGS. - USED CAR SALES OFFICE 208 S.F.
EXISTING USE - SERVICE GARAGE
PROPOSED ADDITIONAL USE - USED
VEHICLE SALES
NO ADDITIONAL SIGNAGE PROPOSED

OWNER:
JAMES O'CONNOR
DEED REF.: EHR, JR 5007, 112

PARKING DATA

PARKING REQUIRED -
SERVICE GARAGES (22/1000 S.F.) - 1
SALES OFFICE (5/1000 S.F.) - 1
TOTAL - 2
EXISTING SPACES - 17
PROPOSED USED VEHICLE
DISPLAY SPACES - 1

ALL SPACES - 8' 1/2" X 18'

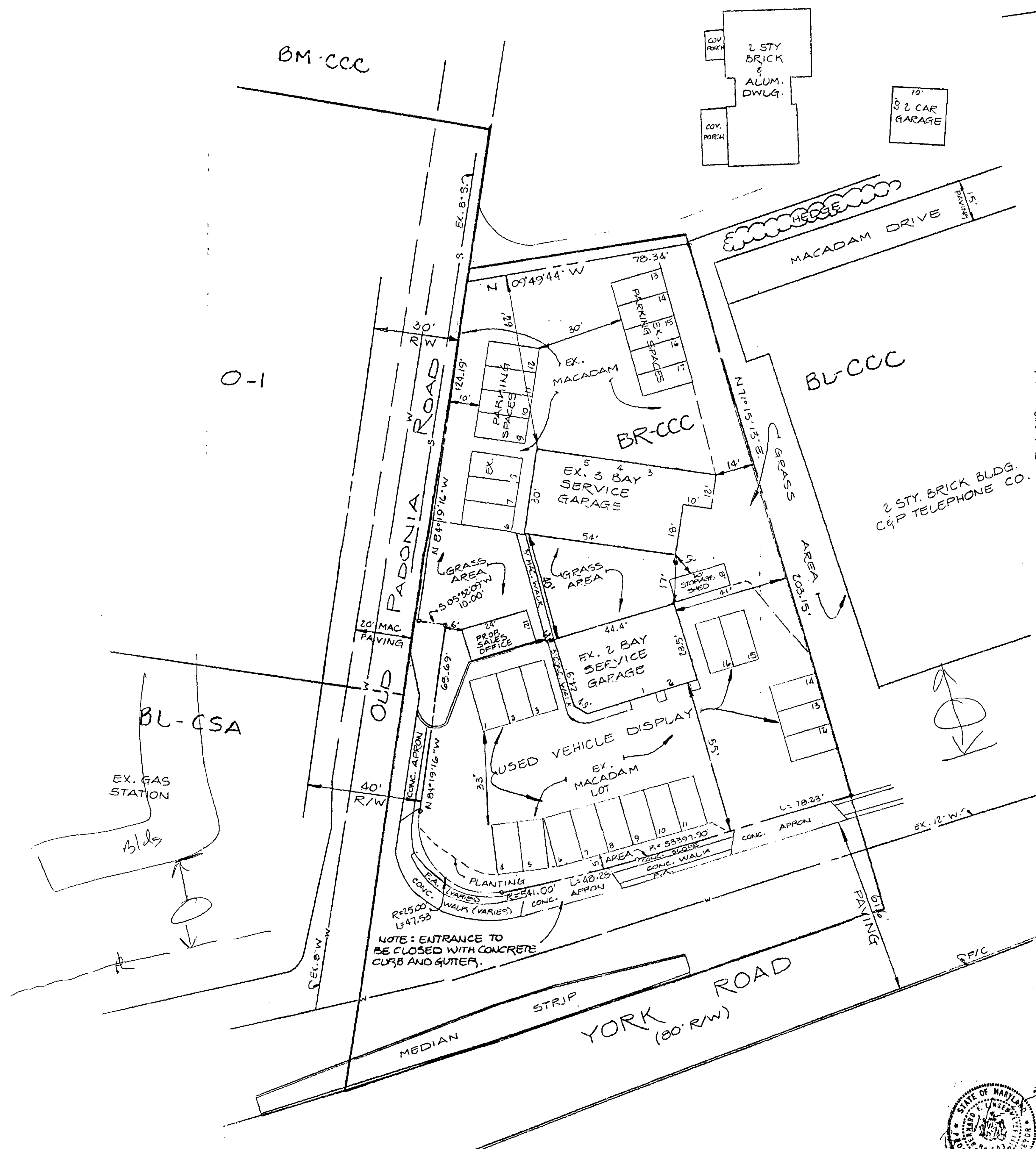
SPECIAL HEARING, VARIANCE &
SPECIAL EXCEPTION PLAT
PADONIA AUTO CENTER
9712 YORK ROAD
8TH ELECTION DISTRICT
BALTIMORE COUNTY, MD.

*Petitioner's
Exhibit
A*

SCALE: 1" = 20'
DATE: AUGUST 1, 1989
REV: NOVEMBER 9, 1989 (PER SPA. COMMISSION)
JANUARY 14, 1990
JUNE 11, 1990

PREPARED BY:
TERRAFLAN, INC.
120 COCKEYSVILLE ROAD
SUITE 103
HUNT VALLEY, MD. 21030
PHONE: (301) 785-2300





CASE NO. 90-213 SPA-XA

SPECIAL HEARING:

AMEND EXISTING SPECIAL EXCEPTION
CASE # 88-485 X.

SPECIAL EXCEPTION:

SECTION 236.4 - TO PERMIT USED MOTOR
VEHICLE OUTDOOR SALES AREA.

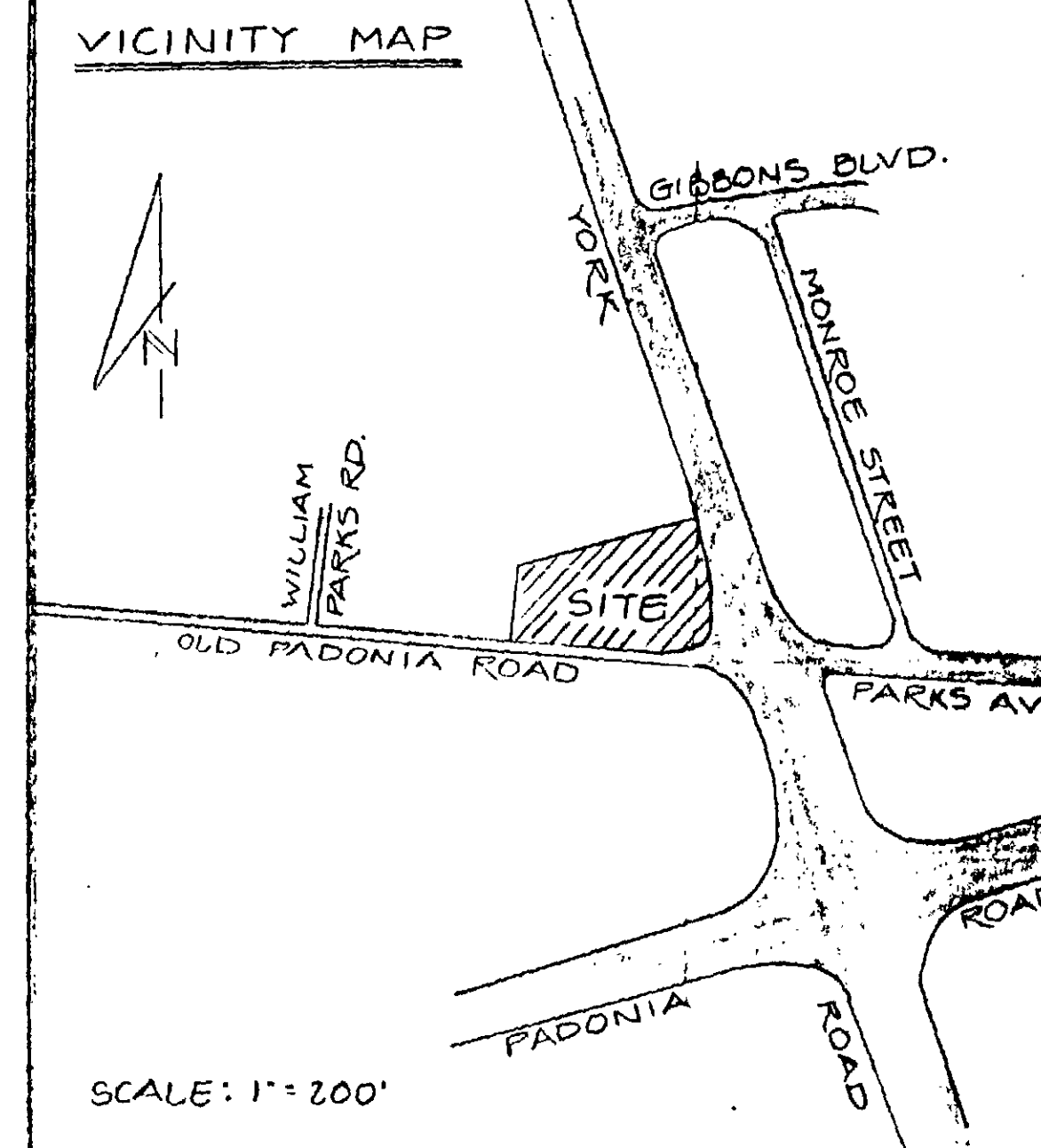
VARIANCE:

SECTION 238.2 - SIDE YARD SETBACKS
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SECTION 238.4 & 409.8.A.4 - TO PERMIT
STORAGE AND DISPLAY OF USED VEHICLES
WITH A SETBACK OF 1' TO FRONT
PROPERTY LINE / RIGHT-OF-WAY LINE.

2 STY. BRICK BLDG.
C&P TELEPHONE CO.



SITE DATA

ACREAGE - 0.568 AC. ±
ZONING - BR-CCC
EX. BLDGS. - 2983 S.F.
PROP. BLDGS. - USED CAR SALES OFFICE
288 S.F.
EXISTING USE - SERVICE GARAGE
PROPOSED ADDITIONAL USE - USED
VEHICLE SALES
NO ADDITIONAL SIGNAGE PROPOSED

OWNER,
JAMES O'CONNOR
DEED REF.: EHK, JR. 5607/773

PARKING DATA

PARKING REQUIRED -
SERVICE GARAGES (33/1000 S.F.) - 9
SALES OFFICE (5/1000 S.F.) - 1
TOTAL - 10
EXISTING SPACES - 17
PROPOSED USED VEHICLE
DISPLAY SPACES - 16

ALL SPACES - 8' 1/2" X 18'

SPECIAL HEARING, VARIANCE &
SPECIAL EXCEPTION PLAT
PADONIA AUTO CENTER
9712 YORK ROAD
8TH ELECTION DISTRICT
BALTIMORE COUNTY, MD.

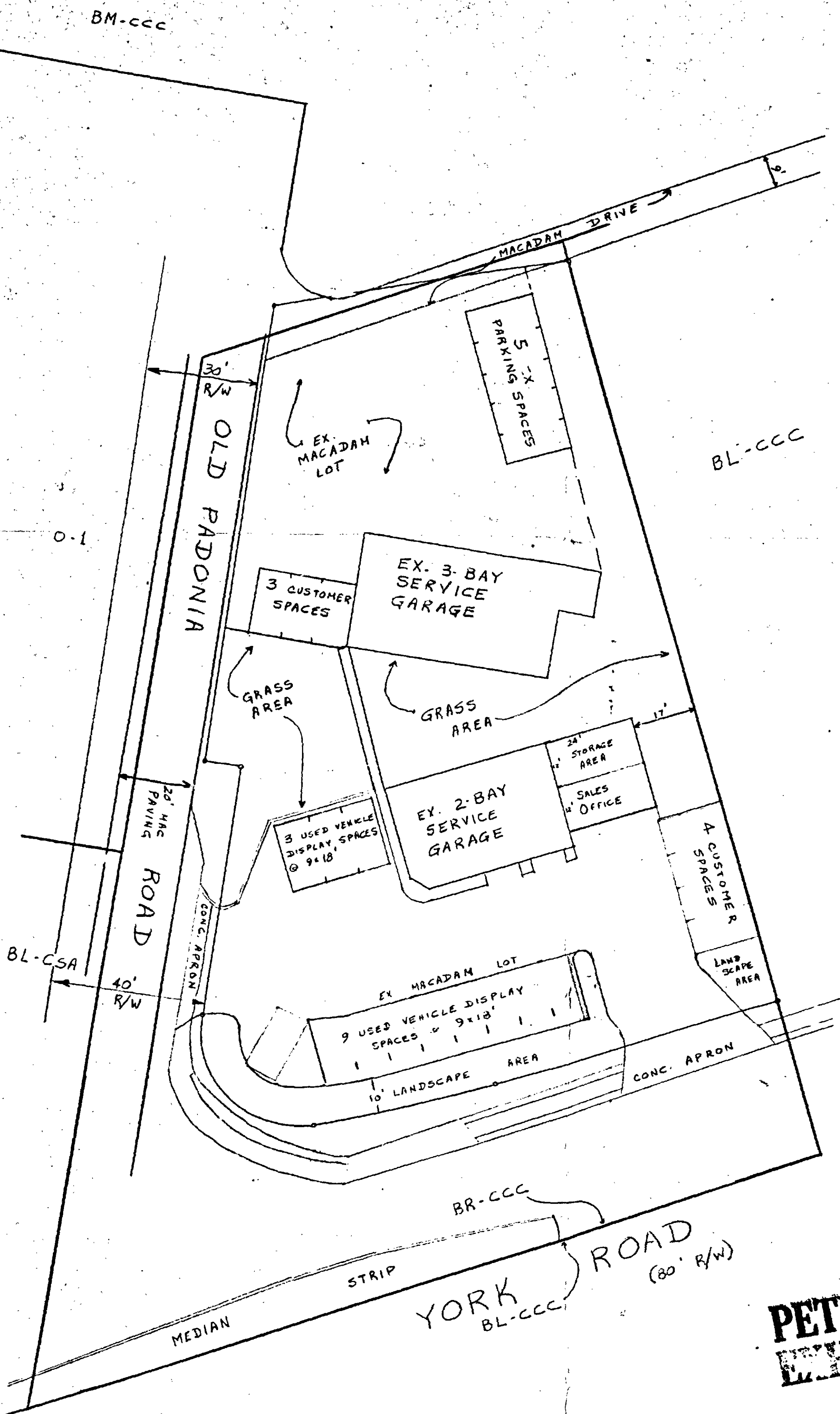
PREPARED BY:
AZIMUTH CONSULTANTS
120 COCKEYSVILLE ROAD
SUITE 105
HUNT VALLEY, MD. 21031
PHONE: (301) 785-2300



SCALE: 1" = 20'
DATE: AUGUST 1, 1989
REV: NOVEMBER 9, 1989 (PER S.H.A. COMMENTS)
JANUARY 12, 1990

NOTES - Shaded, dimensioned, sub-dimensioned only qualifying
as detailed in section 101.02 & 102.02 per section

28.5
7.5
13.5
21.0



PETITIONER'S
EXHIBIT 2

detrimnt to the public health, safety, and general welfare. The modifica-
tions to Petitioners' request are required to prevent an overcrowding of
the subject property. In the opinion of the Deputy Zoning Commissioner,
the additional landscaping suggested by the Office of Planning and reloca-
tion of the building are appropriate in this instance.

Pursuant to the advertisement, posting of the property, and
public hearing on this Petition held, and for the reasons given above, the
relief requested in the special hearing, special exception and variances,
as modified, sh^d be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for
Baltimore County this 17th day of July, 1990 that the Petition for Spe-
cial Hearing to approve an amendment to the previously approved site plan
in Case No. 88-485-X to include a use car sales office and related parking
spaces and the Petition for Special Exception to approve the use of the
subject property for used motor vehicle sales pursuant to Section 236.4 of
the Baltimore County Zoning Regulations (B.C.Z.R.), be and are hereby
GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance to
permit a side yard setback of 10 feet in lieu of the required 30 feet and
a variance to permit the storage and display of used vehicles to be locat-
ed 7 feet from the front property line in lieu of the required 20.5 feet
and 7 feet from the street right-of-way in lieu of the required 10 feet,
be and is hereby GRANTED, subject, however, to the following restrictions
which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building
permit and be granted same upon receipt of this Order;
however, Petitioners are hereby made aware that pro-
ceeding at this time is at their own risk until such
time as the 30-day appellate process from this Order
has expired. If, for whatever reason, this Order is

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reversed, the Petitioners would be required to return,
and be responsible for returning, said property to its
original condition.

2) All damaged or disabled vehicles must be stored
inside in accordance with Section 405.A of the B.C.Z.R.

3) Prior to the issuance of any permits, Petitioner
shall submit a landscape plan for approval by the
Baltimore County Landscape Planner and the Deputy
Director of Planning. A copy of the approved landscap-
ing plan shall be submitted to the Zoning Commis-
sioner's Office for inclusion in the case file prior to
the issuance of any permits. The landscaping required
within the street right-of-way must be maintained at
all times by the property owners at their expense.

4) Petitioners shall provide a minimum landscape
area of 7 feet wide along York Road as depicted in
Petitioner's Exhibit 2. The landscaping for said area
shall be as determined by the Baltimore County Land-
scape Planner and Deputy Director of Planning.

5) The side yard variance of 10 feet in lieu of the
required 30 feet is for the proposed used car office
sales building, which shall be moved to the north side
of the building in the location of the proposed used
car display parking spaces, identified as spaces 15
and 16 on Petitioner's Exhibit 1. Said building shall
be attached to the existing building.

6) There shall be no more than sixteen (16) used
cars displayed for sale at any one time.

7) Petitioners shall be limited to the placement of
only one storage shed on the subject property.

8) Prior to the issuance of any permits, a revised
site plan and landscaping plan must be filed which
references this case and sets forth all addresses the
restrictions of this Order. Said plans must be re-
viewed and found to be in conformance with the require-
ments of this Order.

IT IS FURTHER ORDERED that the Petition for Zoning Variance to
permit a minimum distance between buildings of 6 feet in lieu of the re-
quired 60 feet be and is hereby DENIED.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

- 6 -

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3387

J. Robert Haines
Zoning Commissioner

July 27, 1990

Mr. James D. O'Connor
100 West Road, Suite 211
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & ZONING VARIANCE
W/S of York Road, 185' N of the c/l of Old Padonia Road
(9712 York Road)
8th Election District - 3rd Councilmanic District
James D. O'Connor, et al - Petitioners
Case No. 90-213-SPHYA

Dear Mr. O'Connor:

Enclosed please find a copy of the decision rendered in the
above-captioned matter. The Petitions for Special Hearing, Special Excep-
tion and Zoning Variance have been granted in part, and denied in part, in
accordance with the attached Order.

In the event any party finds the decision rendered is unfavor-
able, any party may file an appeal to the County Board of Appeals within
thirty (30) days of the date of this Order. For further information on
filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: People's Counsel

File

MICROFILMED

RE: PETITION FOR SPECIAL EXCEPTION, BEFORE THE COUNTY BOARD OF APPEALS
SPECIAL HEARING & VARIANCE
W/S of York Rd., 185' N of C/L : OF BALTIMORE COUNTY
of Old Padonia Rd. (9712 York :
Rd.), 8th Election District :
3rd Councilmanic District :
JAMES D. O'CONNOR, et al., : Zoning Case No. 90-213-SPHYA
Petitioners :
: : : : :
ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-
captioned matter. Notices should be sent of any hearing dates or other
proceedings in this matter and of the passage of any preliminary or
final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 304, County Office Building
Towson, Maryland 21204
887-2188

I HEREBY CERTIFY that on this 5th day of February, 1991, a copy
of the foregoing Entry of Appearance was mailed to James D. O'Connor,
100 West Rd., Suite 211, Towson, MD 21204, Petitioner; Raymond E. and
Connie Brehm, 1912 Furnace Rd., Jarrettsville, MD 21084, Lessees; and
Bernard Linsenmeyer, 120 Cockeysville Rd., Hunt Valley, MD 21030, Surveyor.

Peter Max Zimmerman
Peter Max Zimmerman

01/11/91 S-83116

STATE OF MARYLAND
CLERK

PETITION FOR SPECIAL HEARING
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-213-SPHYA
The undersigned, legal owner(s) of the property situate in Baltimore County and which is
described in the description and plat attached hereto and made a part hereof, hereby petition for a
Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whe-
ther or not the Zoning Commissioner should approve
to amend the site plan and Special Exception of Case 88-485-X.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon fil-
ing of this Petition, and further agree to and are to be bound by the zoning regulations and restric-
tions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm,
under the penalties of perjury, that I/we
are the legal owner(s) of the property
which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):
(Type or Print Name) James D. O'Connor, et al.
(Type or Print Name) (Type or Print Name)
Signature Signature
Address (Type or Print Name)
City and State Signature
Attorney for Petitioner: 100 West Road, Suite 211, 301-0595
Address Phone No.
(Type or Print Name) Towson, Maryland 21204
City and State
Signature Name, address and phone number of legal owner, con-
tract purchaser or representative to be contacted
Address Name
City and State
Attorney's Telephone No.: Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day
of Sept, 1990, that the subject matter of this petition be advertised, as
required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-
out Baltimore County, that property be posted, and that the public hearing be had before the Zoning
Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore
County, on the 1st day of Dec, 1990, at 2 o'clock
P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

(over)

MICROFILMED

PETITION FOR SPECIAL EXCEPTION
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-213-SPHYA
The undersigned, legal owner(s) of the property situate in Baltimore County and which is
described in the description and plat attached hereto and made a part hereof, hereby petition for a
Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the
herein described property for used motor vehicle sales per BCCR 236.4.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing
of this petition. I further agree to and are to be bound by the zoning regulations and restrictions
of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm,
under the penalties of perjury, that I/we
are the legal owner(s) of the property
which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):
(Type or Print Name) James D. O'Connor, et al.
(Type or Print Name) (Type or Print Name)
Signature Signature
Address (Type or Print Name)
City and State Signature
Attorney for Petitioner: 100 West Road, Suite 211, 321-0595
Address Phone No.
(Type or Print Name) Towson, Maryland 21204
City and State
Signature Name, address and phone number of legal owner, con-
tract purchaser or representative to be contacted
Address Name
City and State
Attorney's Telephone No.: Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day
of Sept, 1990, that the subject matter of this petition be advertised, as
required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-
out Baltimore County, that property be posted, and that the public hearing be had before the Zoning
Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore
County, on the 1st day of Dec, 1990, at 2 o'clock
P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

(over)

MICROFILMED

ORDER RECEIVED FOR FILING
Date 8/15/90
By J. Robert Haines
Zoning Commissioner

ESTIMATED LENGTH OF HEARING - 1/2 HR.
AVAILABLE FOR HEARING
ALL MON./TUES./WED. - NEXT TWO MONTHS
OTHER
REVIEWED BY: J. Robert Haines DATE 8/15/90

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-213-SPHYA
The undersigned, legal owner(s) of the property situate in Baltimore County and which is
described in the description and plat attached hereto and made a part hereof, hereby petition for a
Variance from Section 238.2 and 102.2 To permit a 6 foot side yard
setback and 6 foot minimum distance between buildings in lieu of the
minimum 30 feet and 50 feet, respectively and Section 238.4 & 409.6.4 to
permit storage and display of used vehicles 1 foot to the front property
line and street right-of-way in lieu of the minimum 15 feet and 10 feet,
respectively.
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the
following reasons: (Indicate hardship or practical difficulty)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this
petition, and further agree to and are to be bound by the zoning regulations and restrictions of
Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm,
under the penalties of perjury, that I/we
are the legal owner(s) of the property
which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):
(Type or Print Name) James D. O'Connor, et al.
(Type or Print Name) (Type or Print Name)
Signature Signature
Address (Type or Print Name)
City and State Signature
Attorney for Petitioner: 100 West Road, Suite 211, 321-0595
Address Phone No.
(Type or Print Name) Towson, Maryland 21204
City and State
Signature Name, address and phone number of legal owner, con-
tract purchaser or representative to be contacted
Address Name
City and State
Attorney's Telephone No.: Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day
of Sept, 1990, that the subject matter of this petition be advertised, as
required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-
out Baltimore County, that property be posted, and that the public hearing be had before the Zoning
Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore
County, on the 1st day of Dec, 1990, at 2 o'clock
P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

(over)

MICROFILMED

ORDER RECEIVED FOR FILING
Date 8/15/90
By J. Robert Haines
Zoning Commissioner

OC
AZIMUTH CONSULTANTS

ZONING DESCRIPTION
9712 York Road

- Beginning on the West side of York Road, 80 feet wide, at a distance of
185 feet North of the centerline of Old Padonia Road, thence running
1) By a curve to the right having a radius of 53,397.90 feet, an arc length
of 78.23 feet and a chord bearing South 18 degrees 18 minutes 53 seconds East,
78.23 feet,
2) By a curve to the right having a radius of 541.00 feet, an arc length of
48.28 feet and a chord bearing South 15 degrees 48 minutes 01 seconds East,
48.26 feet,
3) By a curve to the right having a radius of 25.00 feet, an arc length of 47.53
feet and a chord bearing South 41 degrees 12 minutes 58 seconds West, 40.69
feet,
4) North 84 degrees 19 minutes 16 seconds West, 65.69 feet
5) South 05 degrees 32 minutes 09 seconds West, 10.00 feet
6) North 84 degrees 19 minutes 16 seconds West, 124.19 feet
7) North 09 degrees 49 minutes 44 seconds West, 78.34 feet and
8) North 71 degrees 15 minutes 13 seconds East, 203.15 feet to the point of
beginning. Containing 0.568 acres of land, more or less.

Also known as 9712 York Road in the 8th Election District.

MICROFILMED

180 Cockeysville Road / Suite 105 / Hunt Valley, Maryland 21031 / (301) 785-8300

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 8th Date of Posting: 11-19-89
Posted for: Special Hearing, Special Exception & Zoning Variance
Petitioner: John D. O'Connor, et al
Location of property: W/S of York Rd., 185' N of c/l Old Padonia Rd.
Padonia Road (7712 York Road)
Location of Sign: On front of subject property 7712 York Rd.

Remarks: A.J. Rustin Date of return: 11-17-89
Posted by: A.J. Rustin
Number of Signs: 2

MICROFILMED

CERTIFICATE OF PUBLICATION
TOWSON, MD., November 20, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov 16, 1989

THE JEFFERSONIAN,
S. Zabe Olson
Publisher

MICROFILMED

CERTIFICATE OF PUBLICATION
November 20, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on November 16, 1989

NORTHEAST TIMES BOOSTER and the
NORTHEAST TIMES REPORTER
S. Zabe Olson
Publisher

MICROFILMED

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

DATE: 11/28/89

James D. O'Connor, et al
100 West Road, Suite 211
Towson, Maryland 21204

Re: Petitions for Special Hearing, Special Exception and Zoning Variance
CASE NUMBER: 90-213-SPHXA
W/S of York Road, 185' N of c/l Old Padonia Road
9712 York Road
8th Election District - 3rd Councilmanic
Petitioner(s): John D. O'Connor, et al
HEARING: FRIDAY, DECEMBER 1, 1989 at 2:00 p.m.

Gentlemen:

Please be advised that \$ 179.80 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE BUDEN SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 315, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

NOTE:
(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

receipt
Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R 001-6150
Number: H9000170
No: 545
90-213

Date: 12/01/89

DATE	DESCRIPTION	QTY	PRICE
12/01/89	PUBLIC HEARING FEES		
	000 - POSTING SIGNS / ADVERTISING	1 X	\$179.80
	TOTAL:		\$179.80

LAST NAME OF OWNER: O'CONNOR

Cashier Validation: B 105*****17980:4 201:6
Please make checks payable to: Baltimore County

receipt
Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R 001-6150
Number: A9100018
No: 3290
90-213-SPHXA

Date: 8/27/90

DATE	DESCRIPTION	QTY	PRICE
8/27/90	APPEAL FEES		
	120 - OF A SPECIAL EXC. ORDER	1 X	\$175.00
	140 - OF ALL OTHER ORDERS	2 X	\$125.00
	150 - POSTING SIGNS / ADVERTISING	1 X	\$25.00
	TOTAL:		\$450.00

LAST NAME OF OWNER: O'CONNOR
DAVADW004MICHEC
BA C008156A08-28-90 \$450.00

Cashier Validation: Please make checks payable to: Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

11/3/89

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Hearing, Special Exception and Zoning Variance
CASE NUMBER: 90-213-SPHXA
W/S of York Road, 185' N of c/l Old Padonia Road
9712 York Road
8th Election District - 3rd Councilmanic
Petitioner(s): John D. O'Connor, et al
HEARING: FRIDAY, DECEMBER 1, 1989 at 2:00 p.m.

Special Exceptions For used motor vehicle sales.
Special Hearings To amend the site plan and Special Exception of Case #88-485-X.
Variances To permit a 6 foot side yard setback of 6 feet minimum distance between buildings in lieu of the minimum 30 feet and 60 feet, respectively; and to permit storage and display of used vehicles 1 foot to the front property line and street right-of-way in lieu of the minimum 15 feet and 10 feet, respectively.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRH:gs
cc: James D. O'Connor, et al
File

County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

Hearing Room -
Room 301, County Office Bldg. December 17, 1990

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 90-213-SPHXA

JOHN D. O'CONNOR, ET AL
W/S York Rd., 185' N of c/l Old Padonia Rd. (9712 York Rd.)
8th Election District
3rd Councilmanic District

SPH-Amend 88-485-X
SE-Motor vehicle sales
VAR-setback; distance between bldgs.

7/27/90 - D.Z.C.'s Order GRANTING Petitioner with restrictions.

ASSIGNED FOR: TUESDAY, APRIL 15, 1991 at 10:00 a.m.

cc: Mr. James D. O'Connor Petitioner/Appellant
Raymond E. and Connie Brehm
Mr. Bernard Linsenmeyer
People's Counsel for Baltimore County out per Shirley
P. David Fields
Pat Keller
Public Services out per Paula 11/2/91
J. Robert Haines
Ann M. Nastorowicz
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, County Attorney

Linda Lee M. Kuszmaul
Legal Secretary

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 22, 1989

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

MEMBERS

Bureau of
Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial
Development

James D. O'Connor, Esquire
100 West Road, Suite 211
Towson, MD 21204

RE: Item No. 67, Case No. 90-213-SPHXA
Petitioner: James D. O'Connor, et al
Petition for Special Exception,
Special Hearing and Zoning Variance

Dear Mr. O'Connor:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(801) 887-3353

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this 15th day of September, 1989.

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: James D. O'Connor, et al
Petitioner's Attorney:



Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

August 31, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Baltimore County
Padonia Auto Park
Zoning Meeting of 8-29-89
W/S York Road, MD 45
185' North of Old
Padonia Road
(Item #67)

Dear Mr. Haines:

After reviewing the submittal for a special exception for used motor vehicle sales, we have the following comment.

We will require the entrance onto York Road closest to the intersection of Old Padonia Road be closed with concrete curb and gutter since the two existing entrances on Old Padonia Road and York Road will adequately serve this site for all southbound traffic along York Road.

It is requested a revision be made to this plan showing the closing of this entrance prior to a hearing date being set.

If you have any questions, please contact Larry Brocato at 333-1350.

Very truly yours,

Creston J. Mills, Jr.
Creston J. Mills, Jr., Chief
Engineering Access Permits
Division

LB:maw

cc: Azimuth Consultants
Mr. J. Ogle

RECEIVED
SEP 5 1989
ZONING OFFICE

My telephone number is (301) 333-1350 (Fax #333-1041)
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 865-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Towson, Maryland 21204
(801) 887-3554

RECEIVED
AUG 31 1989

August 25, 1989

ZONING OFFICE



Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item 67:
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

August 29, 1989
James D. O'Connor, et al.
W/S of York Road, 185' N. of Old
Padonia Road.
B.R.-C.C.C.
Special Exception for used motor sales.
Special Hearing to amend the site plan
and Special Exception of Case No. 88-485-X.
Variance to permit a 6-foot side yard set
back and 6-foot minimum distance between
buildings in lieu of the minimum 30 ft.
and 60 ft. respectively, and to permit
storage and display of used vehicles
1-foot to the front property line and street
right-of-way in lieu of the minimum 15' and
10 feet.
8th Election District

District:

Dear Mr. Haines:

The Bureau of Traffic Engineering recommends that entrance to York Road closest to the intersection with Old Padonia Road be closed.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lw

MICROFILMED

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2586
(801) 887-4500

Fred H. Reinecke
Chief

August 24, 1989



Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: JAMES D. O'CONNOR
Location: W/S OF YORK ROAD, 185' N OF CENTER-
LINE OF OLD PADONIA ROAD

Item No.: 67 Zoning Agenda: AUGUST 29, 1989
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

AUG 28 1989

MICROFILMED

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: November 30, 1989
Zoning Commissioner
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Zoning Petition No. 90-213-XASPH
James D. O'Connor, Petitioner

The Petitioner requests a Special Exception for used motor vehicle sales, a Special Hearing to amend a previously approved Special Exception, and Variances to building setbacks and motor vehicle display setbacks.

In reference to this request, staff offers the following comments:

- The site was rezoned from B.L.-C.C.C. to B.R.-C.C.C. in the 1988 Comprehensive Map process. The previous Special Exception, which is the subject of the Special Hearing, was requested to allow a service garage in the B.L. zone. That use is now permitted by right.
- This office has no objection to the requested Special Exception and Special Hearing, however, there are some concerns about the site layout (see attached). This office concurs with the State Highway Administration comment of August 31, 1989, regarding closing the southernmost York Road entrance. We are opposed to the request to allow display of vehicles one foot from the property line. A minimum landscape area of 10 feet is recommended. The parking space immediately adjacent to the northernmost entrance to York Road must be relocated to prevent intrusion into the entrance area.
- This office opposes the six foot setback Variance and distance between building setback Variance requests. The proposed used vehicle sales office should be relocated to the north side of the two-bay garage building. Storage sheds that presently exist there can be removed and storage facilities may be incorporated into an office/storage addition to the building. This office would support a Variance for a building addition in that location.

- Damaged or disabled vehicles must be stored on the site in accordance with Sec. 405A, B.C.Z.R. Note the status of such vehicles on this site.
 - A landscape plan must be approved prior to the issuance of any building permits. Any landscaping provided in the street right-of-way must be maintained by the property owner.
- If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK:JL:ggl
90213XAS/ZAC1

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Jeff Long, OPZ Date: April 18, 1991
Diana Itter, OPZ
FROM: Peter Max Zimmerman
Deputy People's Counsel
SUBJECT: James D. O'Connor, et al., Petitioners
Zoning Case No. 90-213-SPHXA (Item 67)

The Board of Appeals has allowed ten days from April 16th for any further written comment which you may wish to make on this case. The only issue is the location of the proposed sales office to the site requested by Petitioner, on the S/S of the property. The rest of the conditions are not disputed.

Please send any comment directly to Chairman William T. Hackett at the County Board of Appeals (M.S. 1304) with copies to this office and to James D. O'Connor, Esquire.

Thank you for your assistance in this matter.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

PMZ:sh

cc: James D. O'Connor, Esquire
William T. Hackett, Chairman,
County Board of Appeals

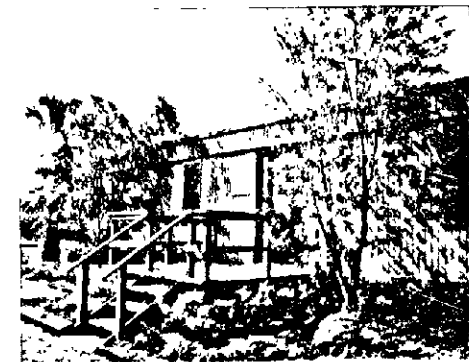
4/26/91
Per Shirley Hess:
Message received by PC from Diane Itter --
If plan submitted at CBA hearing is identical
to that presented before Zoning Commissioner,
she has no further comments to make; comments
stand as those already contained in file.
kcw

01-113 01 12715

U.S.-008

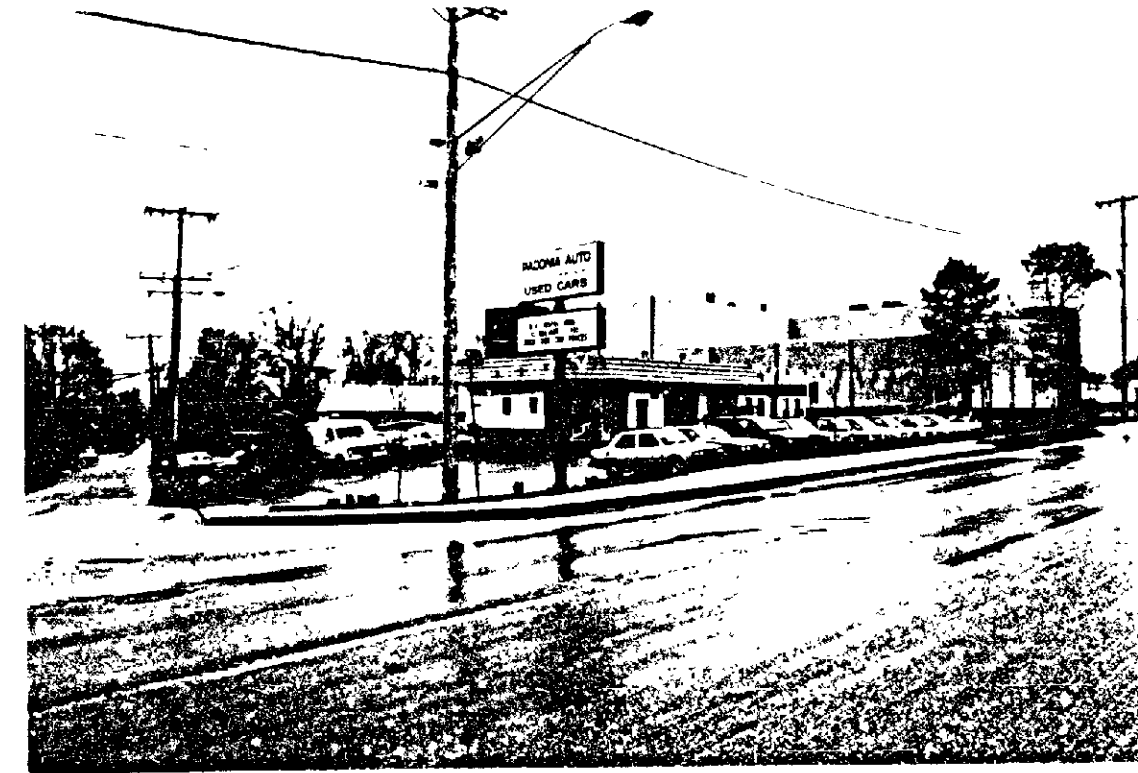
The Designer

The New Dimension of Elegance in Mobile Offices



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Mobile Office Buildings
are available in a variety of sizes and configurations to meet your needs. They are built on a permanent foundation and can be moved to any location.

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